

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	
)	
v.)	Case No. 14-00251-CR-W-HFS
)	
NOEL ZAVALA)	
)	
Defendant.)	

ORDER

While incarcerated based on a guilty plea to felon in possession, pro se defendant filed a motion seeking sentencing transcripts. Defendant's term of imprisonment has expired and he is currently on supervised release.

Further, under 28 U.S.C. § 753(f), an indigent defendant is entitled to have the government pay the fees for a copy of his transcript in a § 2255 proceeding only if he demonstrates that his suit is not frivolous and that the transcript is needed to decide the issue presented by the suit. At the time the motion was filed, the defendant did not identify any specific need for the sentencing transcript, and did not show a genuine need for it. Thus, based on the absence of a demonstrated need for the transcript, and in view of his release from incarceration, the request is moot.

Accordingly, it is hereby

ORDERED that defendant's motion for sentencing transcript (Doc. 21) is DENIED as moot.

/s/ Howard F. Sachs
HOWARD F. SACHS
UNITED STATES DISTRICT JUDGE

February 28, 2018
Kansas City, Missouri